

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

KATHERINE NAOMI HIGGINS

Applicant for Registered Nurse License

Respondent

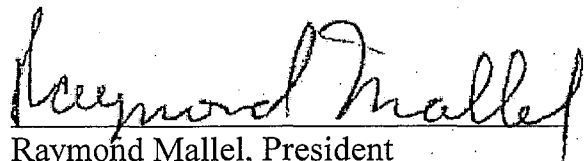
Case No. 2012 – 318

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on **August 30, 2012**.

IT IS SO ORDERED **July 31, 2012**.



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

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Attorneys for Complainant
6

7 **BEFORE THE**
8 **BOARD OF REGISTERED NURSING**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues
Against:

Case No. 2012-318

12 **KATHERINE NAOMI HIGGINS**
728382 Mile Road
13 Twentynine Palms, CA 92277

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

14 Respondent.

15
16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 PARTIES

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Interim Executive Officer of the
21 Board of Registered Nursing. She brought this action solely in her official capacity and is
22 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
23 Frank H. Pacoe, Supervising Deputy Attorney General.

24 2. Respondent Katherine Naomi Higgins (Respondent) is represented in this proceeding
25 by attorney Kevin C. Murphy, Esq., whose address is: Murphy Jones LLP, 625 Broadway, Suite
26 600, San Diego, CA 92101.

27 3. On or about February 17, 2011, Respondent filed an application dated February 3,
28 2011, with the Board of Registered Nursing to obtain a Registered Nurse License.

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Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

Criminal Court Orders: If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

Upon successful completion of probation, Respondent's license shall be fully restored.

1 3. **Report in Person.** Respondent, during the period of probation, shall appear in
2 person at interviews/meetings as directed by the Board or its designated representatives.

3 4. **Residency, Practice, or Licensure Outside of State.** Periods of residency or
4 practice as a registered nurse outside of California shall not apply toward a reduction of this
5 probation time period. Respondent's probation is tolled, if and when she resides outside of
6 California. Respondent must provide written notice to the Board within 15 days of any change of
7 residency or practice outside the state, and within 30 days prior to re-establishing residency or
8 returning to practice in this state.

9 Respondent shall provide a list of all states and territories where she has ever been licensed
10 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
11 information regarding the status of each license and any changes in such license status during the
12 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
13 license during the term of probation.

14 5. **Submit Written Reports.** Respondent, during the period of probation, shall submit
15 or cause to be submitted such written reports/declarations and verification of actions under
16 penalty of perjury, as required by the Board. These reports/declarations shall contain statements
17 relative to Respondent's compliance with all the conditions of the Board's Probation Program.
18 Respondent shall immediately execute all release of information forms as may be required by the
19 Board or its representatives.

20 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
21 state and territory in which she has a registered nurse license.

22 6. **Function as a Registered Nurse.** Respondent, during the period of probation, shall
23 engage in the practice of registered nursing in California for a minimum of 24 hours per week for
24 6 consecutive months or as determined by the Board.

25 For purposes of compliance with the section, "engage in the practice of registered nursing"
26 may include, when approved by the Board, volunteer work as a registered nurse, or work in any
27 non-direct patient care position that requires licensure as a registered nurse.

28 The Board may require that advanced practice nurses engage in advanced practice nursing

1 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

2 If Respondent has not complied with this condition during the probationary term, and
3 Respondent has presented sufficient documentation of her good faith efforts to comply with this
4 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
5 extension of Respondent's probation period up to one year without further hearing in order to
6 comply with this condition. During the one year extension, all original conditions of probation
7 shall apply.

8 **7. Employment Approval and Reporting Requirements.** Respondent shall obtain
9 prior approval from the Board before commencing or continuing any employment, paid or
10 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
11 performance evaluations and other employment related reports as a registered nurse upon request
12 of the Board.

13 Respondent shall provide a copy of this Decision to her employer and immediate
14 supervisors prior to commencement of any nursing or other health care related employment.

15 In addition to the above, Respondent shall notify the Board in writing within seventy-two
16 (72) hours after she obtains any nursing or other health care related employment. Respondent
17 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
18 separated, regardless of cause, from any nursing, or other health care related employment with a
19 full explanation of the circumstances surrounding the termination or separation.

20 **8. Supervision.** Respondent shall obtain prior approval from the Board regarding
21 Respondent's level of supervision and/or collaboration before commencing or continuing any
22 employment as a registered nurse, or education and training that includes patient care.

23 Respondent shall practice only under the direct supervision of a registered nurse in good
24 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods
25 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are
26 approved.

27 Respondent's level of supervision and/or collaboration may include, but is not limited to the
28 following:

1 (a) Maximum - The individual providing supervision and/or collaboration is present in
2 the patient care area or in any other work setting at all times.

3 (b) Moderate - The individual providing supervision and/or collaboration is in the patient
4 care unit or in any other work setting at least half the hours Respondent works.

5 (c) Minimum - The individual providing supervision and/or collaboration has person-to-
6 person communication with Respondent at least twice during each shift worked.

7 (d) Home Health Care - If Respondent is approved to work in the home health care
8 setting, the individual providing supervision and/or collaboration shall have person-to-person
9 communication with Respondent as required by the Board each work day. Respondent shall
10 maintain telephone or other telecommunication contact with the individual providing supervision
11 and/or collaboration as required by the Board during each work day. The individual providing
12 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to
13 patients' homes visited by Respondent with or without Respondent present.

14 9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any
15 private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse,
16 or for an in-house nursing pool.

17 Respondent shall not work for a licensed home health agency as a visiting nurse unless the
18 registered nursing supervision and other protections for home visits have been approved by the
19 Board. Respondent shall not work in any other registered nursing occupation where home visits
20 are required.

21 Respondent shall not work in any health care setting as a supervisor of registered nurses.
22 The Board may additionally restrict Respondent from supervising licensed vocational nurses
23 and/or unlicensed assistive personnel on a case-by-case basis.

24 Respondent shall not work as a faculty member in an approved school of nursing or as an
25 instructor in a Board approved continuing education program.

26 Respondent shall work only on a regularly assigned, identified and predetermined
27 worksite(s) and shall not work in a float capacity.

28 If Respondent is working or intends to work in excess of 40 hours per week, the Board may

1 request documentation to determine whether there should be restrictions on the hours of work.

2 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and
3 successfully complete a course(s) relevant to the practice of registered nursing no later than six
4 months prior to the end of her probationary term.

5 Respondent shall obtain prior approval from the Board before enrolling in the course(s).
6 Respondent shall submit to the Board the original transcripts or certificates of completion for the
7 above required course(s). The Board shall return the original documents to Respondent after
8 photocopying them for its records.

9 11. **Violation of Probation.** If Respondent violates the conditions of her probation, the
10 Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order
11 and impose the stayed discipline (revocation/suspension) of Respondent's license.

12 If during the period of probation, an accusation or petition to revoke probation has been
13 filed against Respondent's license or the Attorney General's Office has been requested to prepare
14 an accusation or petition to revoke probation against Respondent's license, the probationary
15 period shall automatically be extended and shall not expire until the accusation or petition has
16 been acted upon by the Board.

17 12. **License Surrender.** During Respondent's term of probation, if she ceases practicing
18 due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation,
19 Respondent may surrender her license to the Board. The Board reserves the right to evaluate
20 Respondent's request and to exercise its discretion whether to grant the request, or to take any
21 other action deemed appropriate and reasonable under the circumstances, without further hearing.
22 Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be
23 subject to the conditions of probation.

24 Surrender of Respondent's license shall be considered a disciplinary action and shall
25 become a part of Respondent's license history with the Board. A registered nurse whose license
26 has been surrendered may petition the Board for reinstatement no sooner than the following
27 minimum periods from the effective date of the disciplinary decision:

28 (1) Two years for reinstatement of a license that was surrendered for any reason other

1 than a mental or physical illness; or

2 (2) One year for a license surrendered for a mental or physical illness.

3 13. **Physical Examination.** Within 45 days of the effective date of this Decision,
4 Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician
5 assistant, who is approved by the Board before the assessment is performed, submit an
6 assessment of the Respondent's physical condition and capability to perform the duties of a
7 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
8 medically determined, a recommended treatment program will be instituted and followed by the
9 Respondent with the physician, nurse practitioner, or physician assistant providing written reports
10 to the Board on forms provided by the Board.

11 If Respondent is determined to be unable to practice safely as a registered nurse, the
12 licensed physician, nurse practitioner, or physician assistant making this determination shall
13 immediately notify the Board and Respondent by telephone, and the Board shall request that the
14 Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall
15 immediately cease practice and shall not resume practice until notified by the Board. During this
16 period of suspension, Respondent shall not engage in any practice for which a license issued by
17 the Board is required until the Board has notified Respondent that a medical determination
18 permits Respondent to resume practice. This period of suspension will not apply to the reduction
19 of this probationary time period.

20 If Respondent fails to have the above assessment submitted to the Board within the 45-day
21 requirement, Respondent shall immediately cease practice and shall not resume practice until
22 notified by the Board. This period of suspension will not apply to the reduction of this
23 probationary time period. The Board may waive or postpone this suspension only if significant,
24 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
25 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
26 Only one such waiver or extension may be permitted.

27 14. **Participate in Treatment/Rehabilitation Program for Chemical Dependence.**
28 Respondent, at her expense, shall successfully complete during the probationary period or shall

1 have successfully completed prior to commencement of probation a Board-approved
2 treatment/rehabilitation program of at least six months duration. As required, reports shall be
3 submitted by the program on forms provided by the Board. If Respondent has not completed a
4 Board-approved treatment/rehabilitation program prior to commencement of probation,
5 Respondent, within 45 days from the effective date of the decision, shall be enrolled in a program.
6 If a program is not successfully completed within the first nine months of probation, the Board
7 shall consider Respondent in violation of probation.

8 Based on Board recommendation, each week Respondent shall be required to attend at least
9 one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous,
10 Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board.
11 If a nurse support group is not available, an additional 12-step meeting or equivalent shall be
12 added. Respondent shall submit dated and signed documentation confirming such attendance to
13 the Board during the entire period of probation. Respondent shall continue with the recovery plan
14 recommended by the treatment/rehabilitation program or a licensed mental health examiner
15 and/or other ongoing recovery groups.

16 **15. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent shall
17 completely abstain from the possession, injection or consumption by any route of all controlled
18 substances and all psychotropic (mood altering) drugs, including alcohol, except when the same
19 are ordered by a health care professional legally authorized to do so as part of documented
20 medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14)
21 days, by the prescribing health professional, a report identifying the medication, dosage, the date
22 the medication was prescribed, the Respondent's prognosis, the date the medication will no
23 longer be required, and the effect on the recovery plan, if appropriate.

24 Respondent shall identify for the Board a single physician, nurse practitioner or physician
25 assistant who shall be aware of Respondent's history of substance abuse and will coordinate and
26 monitor any prescriptions for Respondent for dangerous drugs, controlled substances or mood-
27 altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report
28 to the Board on a quarterly basis Respondent's compliance with this condition. If any substances

1 considered addictive have been prescribed, the report shall identify a program for the time limited
2 use of any such substances.

3 The Board may require the single coordinating physician, nurse practitioner, or physician
4 assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive
5 medicine.

6 16. **Submit to Tests and Samples.** Respondent, at her expense, shall participate in a
7 random, biological fluid testing or a drug screening program which the Board approves. The
8 length of time and frequency will be subject to approval by the Board. Respondent is responsible
9 for keeping the Board informed of Respondent's current telephone number at all times.
10 Respondent shall also ensure that messages may be left at the telephone number when she is not
11 available and ensure that reports are submitted directly by the testing agency to the Board, as
12 directed. Any confirmed positive finding shall be reported immediately to the Board by the
13 program and Respondent shall be considered in violation of probation.

14 In addition, Respondent, at any time during the period of probation, shall fully cooperate
15 with the Board or any of its representatives, and shall, when requested, submit to such tests and
16 samples as the Board or its representatives may require for the detection of alcohol, narcotics,
17 hypnotics, dangerous drugs, or other controlled substances.

18 If Respondent has a positive drug screen for any substance not legally authorized and not
19 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board
20 files a petition to revoke probation or an accusation, the Board may suspend Respondent from
21 practice pending the final decision on the petition to revoke probation or the accusation. This
22 period of suspension will not apply to the reduction of this probationary time period.

23 If Respondent fails to participate in a random, biological fluid testing or drug screening
24 program within the specified time frame, Respondent shall immediately cease practice and shall
25 not resume practice until notified by the Board. After taking into account documented evidence
26 of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may
27 suspend Respondent from practice pending the final decision on the petition to revoke probation
28 or the accusation. This period of suspension will not apply to the reduction of this probationary

1 time period.

2 **17. Mental Health Examination.** Respondent shall, within 45 days of the effective date
3 of this Decision, have a mental health examination including psychological testing as appropriate
4 to determine her capability to perform the duties of a registered nurse. The examination will be
5 performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by
6 the Board. The examining mental health practitioner will submit a written report of that
7 assessment and recommendations to the Board. All costs are the responsibility of Respondent.
8 Recommendations for treatment, therapy or counseling made as a result of the mental health
9 examination will be instituted and followed by Respondent.

10 If Respondent is determined to be unable to practice safely as a registered nurse, the
11 licensed mental health care practitioner making this determination shall immediately notify the
12 Board and Respondent by telephone, and the Board shall request that the Attorney General's
13 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
14 practice and may not resume practice until notified by the Board. During this period of
15 suspension, Respondent shall not engage in any practice for which a license issued by the Board
16 is required, until the Board has notified Respondent that a mental health determination permits
17 Respondent to resume practice. This period of suspension will not apply to the reduction of this
18 probationary time period.

19 If Respondent fails to have the above assessment submitted to the Board within the 45-day
20 requirement, Respondent shall immediately cease practice and shall not resume practice until
21 notified by the Board. This period of suspension will not apply to the reduction of this
22 probationary time period. The Board may waive or postpone this suspension only if significant,
23 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
24 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
25 Only one such waiver or extension may be permitted.

26 **18. Therapy or Counseling Program.** Respondent, at her expense, shall participate in
27 an on-going counseling program until such time as the Board releases her from this requirement
28 and only upon the recommendation of the counselor. Written progress reports from the counselor

will be required at various intervals.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Kevin C. Murphy, Esq. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED:

May 11, 2012

Katherine Naomi Higgins
KATHERINE NAOMI HIGGINS
Respondent

I have read and fully discussed with Respondent Katherine Naomi Higgins the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED:

5/14/12

Kevin C. Murphy, Esq.
Kevin C. Murphy, Esq.
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated:

5/29/12

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California

Frank H. Pacoe
FRANK H. PACOE
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Statement of Issues No. 2012-318

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 State Bar No. 91740
455 Golden Gate Avenue, Suite 11000
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Attorneys for Complainant

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7 **BEFORE THE**
BOARD OF REGISTERED NURSING
8 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

9
10 In the Matter of the Statement of Issues
Against:

Case No. **2012-318**

STATEMENT OF ISSUES

11 **KATHERINE NAOMI HIGGINS**
4328 Lorren Drive
12 Fremont, CA 94536

13 Applicant.

14
15 Complainant alleges:

16 **PARTIES**

17 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Statement of Issues solely in
18 her official capacity as the Executive Officer of the Board of Registered Nursing, Department of
19 Consumer Affairs.

20 2. On or about February 17, 2011, the Board of Registered Nursing, Department of
21 Consumer Affairs received an application for a Registered Nurse License from Katherine Naomi
22 Higgins (Applicant). On or about February 3, 2011, Katherine Naomi Higgins certified under
23 penalty of perjury to the truthfulness of all statements, answers, and representations in the
24 application. The Board denied the application on May 26, 2011.

25 **JURISDICTION**

26 3. This Statement of Issues is brought before the Board of Registered Nursing (Board),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code unless otherwise indicated.

1 "(c) A board may deny a license regulated by this code on the ground that the applicant
2 knowingly made a false statement of fact required to be revealed in the application for the
3 license."

4 6. Section 2761 of the Business and Professions Code states:

5 "The board may take disciplinary action against a certified or licensed nurse or deny an
6 application for a certificate or license for any of the following:

7 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

8 . . .

9 "(f) Conviction of a felony or of any offense substantially related to the qualifications,
10 functions, and duties of a registered nurse, in which event the record of the conviction shall be
11 conclusive evidence thereof.

12 7. Section 2762 of the Business and Professions Code, in pertinent part, states:

13 "In addition to other acts constituting unprofessional conduct within the meaning of this
14 chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this
15 chapter to do any of the following:

16 . . .

17 "(b) Use any controlled substance as defined in Division 10 (commencing with Section
18 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in
19 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to
20 himself or herself, any other person, or the public or to the extent that such use impairs his or her
21 ability to conduct with safety to the public the practice authorized by his or her license.

22 . . .

23 8. Section 1444 of title 16 of the California Code of Regulations provides that a
24 conviction or act shall be considered to be substantially related to the qualifications, functions or
25 duties of a registered nurse if to a substantial degree it evidences the present or potential unfitness
26 of a registered nurse to practice in a manner consistent with the public health, safety, or welfare.

27 / / /

28 / / /

1 FIRST CAUSE FOR DENIAL OF APPLICATION

2 (Criminal Conviction)

3 9. Applicant's application is subject to denial under Business and Professions Code
4 sections 480(a)(1) and 2761(f) in that she was convicted of a crime or act that is substantially
5 related to the qualifications, functions, or and duties of a registered nurse. The circumstances are
6 as follows:

7 a. On or about May 4, 2010, in a criminal proceeding entitled People of the State
8 of California v. Katherine N. Higgins in San Diego County Superior Court, Case No.CN274472,
9 the applicant was convicted by her plea of guilty for violating Vehicle Code section 23103(a)
10 (reckless driving), a misdemeanor. Because the applicant pled guilty to a charge of violating
11 Vehicle Code section 23103 (reckless driving) in satisfaction of, or as a substitute for, an original
12 charge of a violation of Vehicle Code section 23152 (driving under the influence), the applicant
13 was sentenced under Vehicle Code section 23103.5.

14 b. The circumstances surrounding this conviction are that on or about February
15 26, 2010, at 0148 hours, a police officer from the Oceanside Police Department noticed a motor
16 vehicle operated by applicant travel through an intersection a high rate of speed and make a left
17 turn through a red light. The officer followed the vehicle and noticed that the driver had difficulty
18 in staying in her traffic lane. The police officer initiated a traffic enforcement stop and observed
19 the applicant exhibited the objective symptoms of intoxication, such as watery bloodshot eyes,
20 slowed slurred speech, and smelled of an alcoholic beverage. Thereafter, the officer administered
21 Standardized Field Sobriety Tests (SFST) to the applicant which she failed to perform
22 satisfactory. The applicant admitted to the officer that she had consumed alcoholic beverages. The
23 applicant provided the officer with two breath samples using a Preliminary Alcohol Screening
24 (PAS) device. Based on the results of the PAS test, the applicant's substandard performance on
25 the Field Sobriety Tests, and the applicant's objective symptoms of intoxication, the police officer
26 placed the applicant under arrest for driving under the influence. Court records indicate that the
27 applicant's blood alcohol level was .23%.

28 / / /

1 c. On or about May 4, 2010, the applicant was sentenced to 1 day in the County
2 Jail, ordered to serve 10 days in the Public Service Program, placed on probation for 3 years,
3 ordered to pay fines and fees, and ordered to enroll and complete a 9 month First Conviction
4 Program.

5 SECOND CAUSE FOR DENIAL OF APPLICATION

6 (Unprofessional Conduct – If Act Committed by Licentiate)

7 10. Applicant's application is subject to denial under section 480(a)(3) of the Business
8 and Professions Code in that she committed acts which if done by a licentiate of the business or
9 profession in question, would be grounds for suspension or revocation of license. The applicant
10 would be subject to disciplinary action under Business and Professions Code section 2761(a) on
11 the grounds of unprofessional conduct, as defined by Business and Professions Code section
12 2762(b), in that on or about February 26, 2010, she used alcoholic beverages to an extent or in a
13 manner dangerous or injurious to herself or others.

14 PRAYER

15 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Board of Registered Nursing issue a decision:

- 17 1. Denying the application of Katherine Naomi Higgins for a Registered Nurse License;
18 2. Taking such other and further action as deemed necessary and proper.

19 DATED: November 22, 2011

20 *Louise R. Bailey*
21 LOUISE R. BAILEY, M.Ed., RN
22 Executive Officer
23 Board of Registered Nursing
24 Department of Consumer Affairs
25 State of California
26 Complainant

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